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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

UNITED STATES OF AMERICA,

Plaintiff,

v.

DOCKET 19-CR-195-SWS

GUADALUPE HERNANDEZ, JR.,

Defendant.

UNOPPOSED MOTION TO CONTINUE SENTENCING

Defendant Guadalupe Hernandez, Jr., through his attorney, Melanie Gavisk, Assistant Federal Public Defender, moves the Court for an order resetting his sentencing hearing scheduled for April 14, 2020. Due to the crisis with COVID-19 pandemic, it is in the best interests of all parties to move this hearing to a later date. Undersigned counsel contacted Assistant United States Attorney Jonathan C. Coppom about this request, and AUSA Coppom indicated he had no objection.

Rule 32(b)(1) of the Federal Rules of Criminal Procedure instructs courts to “impose sentence without unnecessary delay.” However, for good cause, a court may continue a sentencing hearing. *See Fed. R. Crim.P. 45(b)(1)* (“When an act must or may be done within a specified period, the court on its own may extend the time, or for good cause may do so on a party’s motion....”).

Out of an abundance of caution, counsel requests that the hearing be rest.

Continuing this hearing will not cause any harm to Mr. Hernandez because he is not requesting a time-served sentence.

Accordingly, Mr. Hernandez requests that the sentencing hearing now set for April 14, 2020 at 1:00 p.m. be vacated and reset to a later date.

DATED this 9th day of April 2020.

Respectfully submitted,

VIRGINIA L. GRADY
Federal Public Defender

/s/ Melanie Gavisk
Melanie Gavisk
Assistant Federal Public Defender

CERTIFICATE OF SERVICE

I certify that the foregoing was served on April 9, 2020, to counsel of record via the ECF system.

/s/ Melanie Gavisk
Melanie Gavisk